

**UTILITY PATENT APPLICATION
UNDER 37 CFR 1.53(b)**

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08/05/03



Mail Stop Utility
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Case Docket No. 50229-380

Sir:

Transmitted herewith for filing is the patent application of:

**INVENTOR: Joseph CHAPPELL, Mark A. SCHOENBECK, Bryan T. GREENHAGEN
FOR: METHODS FOR SPLICING PLANT GENES**

Enclosed are:

- 24 pages of specification, claims, abstract.
- Declaration and Power of Attorney.
- Priority Claimed - U.S. Provisional Application No. 60/400,682
- Certified copy of _____
- 3 sheets of formal drawing.
- An assignment of the invention to _____
and the assignment recordation fee.
- An associate power of attorney.
- Request for Non-Publication Notice under 35 U.S.C.122(b)(2)(B)(i)
- Information Disclosure Statement, Form PTO-1449 and reference.
- Return Receipt Postcard
- Applicant is entitled to Small Entity Status

Respectfully submitted,

MCDERMOTT, WILL & EMERY



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Date: August 5, 2003

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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)		First Named Inventor	Joseph CHAPPELL, et al.
Title	METHODS FOR SPLICING PLANT GENES		
Atty Docket Number		50229-380	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 5, 2003
Date



Signature

Judith L. Toffenetti, 39,048
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.